

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-161

March 22, 2000

Maine Generator Co., Inc., Kent Ladd
Appeal of Consumer Assistance
Division Decision #2000-7852 Regarding
Bell Atlantic-Maine

ORDER

WELCH, Chairman; NUGENT, and DIAMOND Commissioners

I. SUMMARY

In this Order we uphold the Consumer Assistance Division (CAD) decision related to Mr. Kent Ladd's dispute with Bell Atlantic.

II. BACKGROUND

Mr. Ladd contacted Bell Atlantic (BA) requesting telephone service for a new shop for his business and future residence at 401 Park Street in Milo. Mr. Ladd's business is currently located 3-4 miles away at another location in Milo. After taking Mr. Ladd's order, Bell Atlantic discovered that, although the property is located in Milo, it is approximately 600 feet (or 4 pole lengths) within the neighboring Brownville exchange (965). Mr. Ladd desires a number in the Milo exchange (943) because of the expense associated with changing his number and possible customer confusion about his location.

Bell Atlantic informed Mr. Ladd that he could be served with a 943 exchange through the purchase of Foreign-exchange (FX) service, which entails additional charges. Mr. Ladd appealed Bell Atlantic's decision to CAD. CAD found that BA had properly determined that the location is in the Brownville exchange. Mr. Ladd then appealed CAD's decision to the Commission.¹

¹ In his appeal letter, Mr. Ladd states that his February bill contained incorrect charges for a line extension. If this matter has not been resolved with Bell Atlantic, he should contact CAD.

III. DECISION

As explained by BA, exchange boundaries do not always match municipal boundaries. The new location will require new phone numbers in the Brownville exchange. We note that Milo and Brownville are within the same calling area, so calls between the exchanges will result in no additional charges. After reviewing the record, we find that BA's resolution of the situation was appropriate. We therefore uphold CAD's decision and decline to further investigate this matter.

Dated at Augusta, Maine, this 22nd day of March, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.